



**FG {ID}**  
**FLEXIBLE GROUP CONDITIONS**  
**Area Source Boiler – Existing Large Seas**

Red text identifies options. Select the option that applies to the source and change the text to black. Delete red text that does not apply and renumber conditions if necessary.

Blue text is guidance or notes on the use of the template. Delete all blue text prior to issuing the final permit or submitting it with a permit application.

If this template is being used for an ROP Reopening or Renewal, and the MACT conditions were established in a PTI, the appropriate footnotes which reference enforceability must be added to each applicable condition in the template.

### **DESCRIPTION**

Conditions for any existing large ( $\geq 10$  MMBtu/hour heat input) oil-fired or biomass-fired industrial, commercial or institutional seasonal boiler as defined in 40 CFR 63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in 40 CFR 63.2, except as specified in 40 CFR 63.11195.

**Emission Unit:** The collection of all existing industrial, commercial, and institutional boilers within a subcategory

### **POLLUTION CONTROL EQUIPMENT**

NA

#### **I. EMISSION LIMIT(S)**

| Pollutant | Limit | Time Period/ Operating Scenario | Equipment | Monitoring/ Testing Method | Underlying Applicable Requirements |
|-----------|-------|---------------------------------|-----------|----------------------------|------------------------------------|
| NA        | NA    | NA                              | NA        | NA                         | NA                                 |

#### **II. MATERIAL LIMIT(S)**

1. The boiler shall not comply with the definition of the coal subcategory, as is required by the definition of seasonal boiler: the boiler burns any solid fuel and no more than 15 percent biomass on an annual heat input basis. **(40 CFR 63.11200(d), 40 CFR 63.11237)**

#### **III. PROCESS/OPERATIONAL RESTRICTION(S)**

1. The permittee must comply with each work practice standard, emission reduction measure, and management practice specified in Table 2 of 40 CFR Part 63, Subpart JJJJJJ that applies to the permittee's boiler. An energy assessment completed on or after January 1, 2008 that meets or is amended to meet the energy assessment requirements in Table 2 of 40 CFR Part 63, Subpart JJJJJJ satisfies the energy assessment requirement. A facility that operates under an energy management program established through energy management systems compatible with ISO 50001, that includes the affected units, also satisfies the energy assessment requirement. **(40 CFR 63.11201(b))**
2. The permittee must conduct a performance tune-up according to Section 63.11223(b), stated in **SC III.4**, and the permittee must submit a signed statement in the Notification of Compliance Status report that indicates that the permittee conducted a tune-up of the boiler. **(40 CFR 63.11214(b))**
3. For affected sources subject to the work practice standard or the management practices of a tune-up, the permittee must conduct a performance tune-up according to paragraph (b) of Section 63.11223, stated in **SC III.4**, and keep records as required in Section 63.11225(c), stated in **SC VI.1**, to demonstrate continuous

compliance. The permittee must conduct the tune-up while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up. **(40 CFR 63.11223(a))**

4. Except as specified in paragraph (d) of Section 63.11223, stated in **SC III.5**, the permittee must conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in paragraphs (b)(1) through (7) of Section 63.11223, as listed below. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. **(40 CFR 63.11223(b))**
  - a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the permittee may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. **(40 CFR 63.11223(b)(1))**
  - b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available. **(40 CFR 63.11223(b)(2))**
  - c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection. **(40 CFR 63.11223(b)(3))**
  - d. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject. **(40 CFR 63.11223(b)(4))**
  - e. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. **(40 CFR 63.11223(b)(5))**
  - f. Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (b)(6)(i) through (iii) of Section 63.11223, as listed below. **(40 CFR 63.11223(b)(6))**
    - i. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler. **(40 CFR 63.11223(b)(6)(i))**
    - ii. A description of any corrective actions taken as a part of the tune-up of the boiler. **(40 CFR 63.11223(b)(6)(ii))**
    - iii. The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. **(40 CFR 63.11223(b)(6)(iii))**
  - g. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup. **(40 CFR 63.11223(b)(7))**
5. Seasonal boilers must conduct a tune-up every 5 years as specified in paragraphs (b)(1) through (7) of Section 63.11223, stated in **SC III.4**. Each 5-year tune-up must be conducted no more than 61 months after the previous tune-up. The permittee may delay the burner inspection specified in paragraph (b)(1) of Section 63.11223 and inspection of the system controlling the air-to-fuel ratio specified in paragraph (b)(3) of Section 63.11223 until the next scheduled unit shutdown, but the permittee must inspect each burner and system controlling the air-to-fuel ratio at least once every 72 months. Seasonal boilers are not subject to the emission limits in Table 1 of 40 CFR Part 63, Subpart JJJJJJ or the operating limits in Table 3 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11223(d))**

#### **IV. DESIGN/EQUIPMENT PARAMETER(S)**

1. The boiler shall comply with the definition of seasonal boiler: the boiler undergoes a shutdown for a period of at least 7 consecutive months (or 210 consecutive days) each 12-month period due to seasonal conditions, except for periodic testing. **(40 CFR 63.11200(d))**
2. The boiler shall have a heat input capacity of equal to or greater than 10 MMBtu per hour. **(40 CFR 63, Subpart JJJJJJ)**

## **V. TESTING/SAMPLING**

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

NA

## **VI. MONITORING/RECORDKEEPING**

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. The permittee must maintain the records specified in paragraphs (c)(1) through (7) of Section 63.11225, as listed below. **(40 CFR 63.11225(c))**
  - a. As required in Section 63.10(b)(2)(xiv), the permittee must keep a copy of each notification and report that the permittee submitted to comply with 40 CFR Part 63, Subpart JJJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted. **(40 CFR 63.11225(c)(1))**
  - b. The permittee must keep records to document conformance with the work practices, emission reduction measures, and management practices required by Sections 63.11214 and 63.11223 as specified in paragraphs (c)(2)(i) through (vi) of Section 63.11225, as listed below. **(40 CFR 63.11225(c)(2))**
    - i. Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned. **(40 CFR 63.11225(c)(2)(i))**
    - ii. For operating units that combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to Section 241.3(b)(1) of this chapter, the permittee must keep a record which documents how the secondary material meets each of the legitimacy criteria under Section 241.3(d)(1). If the permittee combusts a fuel that has been processed from a discarded non-hazardous secondary material pursuant to Section 241.3(b)(4) of this chapter, the permittee must keep records as to how the operations that produced the fuel satisfies the definition of processing in Section 241.2 and each of the legitimacy criteria in Section 241.3(d)(1) of this chapter. If the fuel received a non-waste determination pursuant to the petition process submitted under Section 241.3(c) of this chapter, the permittee must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary material as fuel per Section 241.4, the permittee must keep records documenting that the material is a listed non-waste under Section 241.4(a). **(40 CFR 63.11225(c)(2)(ii))**
    - iii. For each boiler required to conduct an energy assessment, you must keep a copy of the energy assessment report. **(40 CFR 63.11225(c)(2)(iii))**
    - iv. For each boiler that meets the definition of seasonal boiler, the permittee must keep records of days of operation per year. **(40 CFR 63.11225(c)(2)(v))**
  - c. Records of the occurrence and duration of each malfunction of the boiler. **(40 CFR 63.11225(c)(4))**
  - d. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in Section 63.11205(a), stated in **SC IX.4**, including corrective actions to restore the malfunctioning boiler to its normal or usual manner of operation. **(40 CFR 63.11225(c)(5))**
2. The permittee's records must be in a form suitable and readily available for expeditious review. The permittee must keep each record for 5 years following the date of each recorded action. The permittee must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. The permittee may keep the records off site for the remaining 3 years. **(40 CFR 63.11225(d))**

See Appendices **{Enter 3, 4, and/or 7}**

## **VII. REPORTING**

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. **(R 336.1213(3)(c)(i))**

3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. **(R 336.1213(4)(c))**
4. The permittee must submit a signed certification in the Notification of Compliance Status report that an energy assessment of the boiler and its energy use systems was completed according to Table 2 of 40 CFR Part 63, Subpart JJJJJJ and is an accurate depiction of the permittee's facility. **(40 CFR 63.11214(c))**
5. The permittee must submit the notifications specified in paragraphs (a)(1) through (5) of Section 63.11225, as listed below, to the administrator. **(40 CFR 63.11225(a))**
  - a. The permittee must submit all of the notifications in Sections 63.7(b); 63.8(e) and (f); and 63.9(b) through (e), (g), and (h) that apply to the permittee by the dates specified in those Sections except as specified in paragraphs (a)(2) and (4) of Section 63.11225. **(40 CFR 63.11225(a)(1))**
  - b. An Initial Notification must be submitted no later than January 20, 2014 or within 120 days after the source becomes subject to the standard. **(40 CFR 63.11225(a)(2))**
  - c. The permittee must submit the Notification of Compliance Status no later than 120 days after the applicable compliance date specified in Section 63.11196, stated in **SC IX.3**. The permittee must submit the Notification of Compliance Status in accordance with paragraphs (a)(4)(i) and (vi) of Section 63.11225, as listed below. The Notification of Compliance Status must include the information and certification(s) of compliance in paragraphs (a)(4)(i) through (v) of Section 63.11225, as applicable, and signed by a responsible official. **(40 CFR 63.11225(a)(4))**
    - i. The permittee must submit the information required in Section 63.9(h)(2), except the information listed in Section 63.9(h)(2)(i)(B), (D), (E), and (F). **(40 CFR 63.11225(a)(4)(i))**
    - ii. "This facility complies with the requirements in Section 63.11214 to conduct an initial tune-up of the boiler." **(40 CFR 63.11225(a)(4)(ii))**
    - iii. "This facility has had an energy assessment performed according to Section 63.11214(c)." **(40 CFR 63.11225(a)(4)(iii))**
    - iv. For units that do not qualify for a statutory exemption as provided in Section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit." **(40 CFR 63.11225(a)(4)(v))**
    - v. The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). However, if the reporting form specific to 40 CFR Part 63, Subpart JJJJJJ is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in Section 63.13. **(40 CFR 63.11225(a)(4)(vi))**
6. The permittee must prepare, by March 1 of each year, and submit to the delegated authority upon request, an annual compliance certification report for the previous calendar year containing the information specified in paragraphs (b)(1) through (4) of Section 63.11225. For boilers that are subject only to a requirement to conduct a 5-year tune-up according to Section 63.11223(a) and not subject to emission limits or operating limits, the permittee may prepare only a 5-year compliance report as specified in paragraphs (b)(1) and (2) of Section 63.11225, as listed below. **(40 CFR 63.11225(b))**
  - a. Company name and address. **(40 CFR 63.11225(b)(1))**
  - b. Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR Part 63, Subpart JJJJJJ. The permittee's notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official: **(40 CFR 63.11225(b)(2))**
    - i. "This facility complies with the requirements in Section 63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler." **(40 CFR 63.11225(b)(2)(i))**
    - ii. For units that do not qualify for a statutory exemption as provided in Section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit." **(40 CFR 63.11225(b)(2)(ii))**

7. If the permittee intends to commence or recommence combustion of solid waste, the permittee must provide 30 days prior notice of the date upon which the permittee will commence or recommence combustion of solid waste. The notification must identify: **(40 CFR 63.11225(f))**
  - a. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that will commence burning solid waste, and the date of the notice. **(40 CFR 63.11225(f)(1))**
  - b. The currently applicable subcategory under 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11225(f)(2))**
  - c. The date on which the permittee became subject to the currently applicable emission limits. **(40 CFR 63.11225(f)(3))**
  - d. The date upon which the permittee will commence combusting solid waste. **(40 CFR 63.11225(f)(4))**
8. If the permittee has switched fuels or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within 40 CFR Part 63, Subpart JJJJJJ, in the boiler becoming subject to 40 CFR Part 63, Subpart JJJJJJ, or in the boiler switching out of 40 CFR Part 63, Subpart JJJJJJ due to a change to 100 percent natural gas, or the permittee has taken a permit limit that resulted in the permittee being subject to 40 CFR Part 63, Subpart JJJJJJ, the permittee must provide notice of the date upon which the permittee switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify: **(40 CFR 63.11225(g))**
  - a. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice. **(40 CFR 63.11225(g)(1))**
  - b. The date upon which the fuel switch, physical change, or permit limit occurred. **(40 CFR 63.11225(g)(2))**

See Appendix 8

#### **VIII. STACK/VENT RESTRICTION(S)**

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

| <b>Stack &amp; Vent ID</b> | <b>Maximum Exhaust Dimensions (inches)</b> | <b>Minimum Height Above Ground (feet)</b> | <b>Underlying Applicable Requirements</b> |
|----------------------------|--|---|---|
| NA                         | NA   | NA  | NA  |

#### **IX. OTHER REQUIREMENT(S)**

1. 40 CFR Part 63, Subpart JJJJJJ applies to each existing affected source as defined in paragraph (a)(1) of Section 63.11194, as listed below. **(40 CFR 63.11194(a))**
  - a. The affected source of 40 CFR Part 63, Subpart JJJJJJ is the collection of all existing industrial, commercial, and institutional boilers within a subcategory, as listed in Section 63.11200 and defined in Section 63.11237, located at an area source. **(40 CFR 63.11194(a)(1))**
2. An affected source is an existing source if the permittee commenced construction or reconstruction of the affected source on or before June 4, 2010. **(40 CFR 63.11194(b))**
3. If the permittee owns or operates an existing affected boiler, the permittee must achieve compliance with the applicable provisions in 40 CFR Part 63, Subpart JJJJJJ as specified in paragraphs (a)(1) and (3) of Section 63.11196, as listed below. **(40 CFR 63.11196(a))**
  - a. If the existing affected boiler is subject to a work practice or management practice standard of a tune-up, the permittee must achieve compliance with the work practice or management practice standard no later than March 21, 2014. **(40 CFR 63.11196(a)(1))**
  - b. If the existing affected boiler is subject to the energy assessment requirement, the permittee must achieve compliance with the energy assessment requirement no later than March 21, 2014. **(40 CFR 63.11196(a)(3))**

4. At all times the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. **(40 CFR 63.11205(a))**
5. For existing affected boilers that have applicable work practice standards, management practices, or emission reduction measures, the permittee must demonstrate initial compliance no later than the compliance date that is specified in Section 63.11196, stated in **SC IX.3**, and according to the applicable provisions in Section 63.7(a)(2), except as provided in paragraph (j) of Section 63.11210, stated in **SC IX.9**. **(40 CFR 63.11210(c))**
6. If the permittee owns or operates an industrial, commercial, or institutional boiler and would be subject to 40 CFR Part 63, Subpart JJJJJJ except for the exemption in Section 63.11195(b) for commercial and industrial solid waste incineration units covered by 40 CFR Part 60, Subpart CCCC or Subpart DDDD, and the permittee ceases combusting solid waste, the permittee must be in compliance with 40 CFR Part 63, Subpart JJJJJJ on the effective date of the waste to fuel switch as specified in Section 60.2145(a)(2) and (3) of Subpart CCCC or Section 60.2710(a)(2) and (3) of Subpart DDDD. **(40 CFR 63.11196(d))**
7. For affected boilers that ceased burning solid waste consistent with Section 63.11196(d) and for which the initial compliance date has passed, the permittee must demonstrate compliance within 60 days of the effective date of the waste-to-fuel switch as specified in Section 60.2145(a)(2) and (3) of Subpart CCCC or Section 60.2710(a)(2) and (3) of Subpart DDDD. If the permittee has not conducted their compliance demonstration for 40 CFR Part 63, Subpart JJJJJJ within the previous 12 months, the permittee must complete all compliance demonstrations for 40 CFR Part 63, Subpart JJJJJJ before commencing or recommencing combustion of solid waste. **(40 CFR 63.11210(g))**
8. For affected boilers that switch fuels or make a physical change to the boiler that results in the applicability of a different subcategory within 40 CFR Part 63, Subpart JJJJJJ or the boiler becoming subject to 40 CFR Part 63, Subpart JJJJJJ, the permittee must demonstrate compliance within 180 days of the effective date of the fuel switch or the physical change. Notification of such changes must be submitted according to Section 63.11225(g), stated in **SC VII.8**. **(40 CFR 63.11210(h))**
9. For existing affected boilers that have not operated between the effective date of the rule and the compliance date that is specified for the permittee's source in Section 63.11196, the permittee must comply with the applicable provisions as specified in paragraphs (j)(2) and (3) of Section 63.11210, as listed below. **(40 CFR 63.11210(j))**
  - a. The permittee must complete the initial performance tune-up, if subject to the tune-up requirements in Section 63.11223, by following the procedures described in Section 63.11223(b), stated in **SC III.4**, no later than 30 days after the re-start of the affected boiler. **(40 CFR 63.11210(j)(2))**
  - b. The permittee must complete the one-time energy assessment, if subject to the energy assessment requirements specified in Table 2 of 40 CFR Part 63, Subpart JJJJJJ, no later than the compliance date specified in Section 63.11196, stated in **SC IX.3**. **(40 CFR 63.11210(j)(3))**
10. Table 8 of 40 CFR Part 63, Subpart JJJJJJ shows which parts of the General Provisions in Sections 63.1 through 63.15 apply to the permittee. **(40 CFR 63.11235)**

**Footnotes:**

<sup>1</sup> This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

<sup>2</sup> This condition is federally enforceable and was established pursuant to Rule 201(1)(a).